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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kovac et al.	Examiner: M. Brown
Serial No.: 09/749,254	Group Art Unit: 3764
Filed: December 27, 2000	
For: PELVIC SURGERY DRAPE	Docket No. 687-424 (AMS0007/US)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I CERTIFY THAT ON Dec 14, 2005, THIS PAPER
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22313-1450.

Paula J. Breeden
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Renewed Petition Under 37 C.F.R. 1.137(b)

Dear Sir:

This Renewed Petition is being filed in response to the dismissal ("Dismissal"), dated November 16, 2005, which Dismissal dismissed Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally ("Petition"), in the above-identified patent application.

The Petition was filed February 1, 2005, and the Dismissal is date-stamped November 16, 2005. The Dismissal describes that the above-identified patent application became abandoned on August 18, 2004. Applicants filed a Petition dated February 1, 2005, which included claim amendments intended to place all pending claims of the application in condition for allowance. According to the Dismissal, however, the amendment of February 1, 2005, was not sufficient to place all claims in condition for allowance.

Reconsideration of the Dismissal of Applicant's Petition is respectfully requested in view of the attached remarks and claim amendments.

Along with the Dismissal issued an Advisory Action indicating that the amendment filed with Applicant's Response dated February 1, 2005, was not entered, and that claims 1-7, 9-15, 40-41, and 43-44, remain finally rejected.

According to a telephone conversation on November 30, 2005, between Applicant's undersigned representative, Dan Schulte, and Petitions Examiner Irvin Dingle, I understand the following:

The Dismissal resulted from the claims of the application as presented in Applicant's Response and amendment dated February 1, 2005, being not all in condition for allowance.

Applicants have a two-month extendable period of reply to the Dismissal, from the date of the Dismissal (November 16, 2005). See the Dismissal, paragraph 3, setting a two-month period for a request for reconsideration. Within this period Applicants may submit amended claims for reconsideration with regard to the Petition.

No fee is required for this Renewed Petition and request for reconsideration. The fee of \$1,500 paid by Applicants with the Petition dated February 1, 2005, is sufficient to cover the present request for reconsideration.

According to a conversation between Applicant's undersigned representative, Dan Schulte, and Examiner Michael Brown, I understand that claim 8 (if re-written in independent form) and claims 27 through 39 and claim 42 are allowed. The attached amendment cancels all subject matter that is not allowed or allowable, and puts the claims in condition for allowance.

Relating to the status of the claims as allowed or not, a final Office action issued May 17, 2004, in which claims 16-39 and 42 were indicated to be allowable. Claim 8 was objected to as being dependent on a rejected claim, but was indicated to be allowable if rewritten in independent form. Claims 1-7, 9-15, 40-41, and 43-44 were rejected. Applicants understand that claims 16 through 27 are no longer considered to be allowable, even though these claims were indicated to be allowable in the final Office action.

No fee is believed to be due at this time. If, however, any additional fee is due, please charge Kagan Binder Deposit Account No. 50-1775 and notify us of the same.

REMARKS

Prior to the application becoming abandoned as of August 18, 2004, claims 1 through 44 were pending.

Upon granting of Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally ("Petition"), in the above-identified patent application, as presently solicited, claims 1-44 will again be pending.

In the Final Office action dated May 17, 2004, claims 16-39 and 42 were indicated to be allowable. Claim 8 was objected to as being dependent on a rejected claim, but was indicated to be allowable if rewritten in independent form. Claims 1-7, 9-15, 40-41, and 43-44 were rejected.

Applicants understand that claims 16 through 27 are no longer considered to be allowable, even though these claims were indicated to be allowable in the final Office action.

With this response, Applicants amend the pending claims to place the application in condition for allowance. The current amendments cancel all non-allowable subject matter from the claims, and the Application's claims now include only subject matter understood by Applicants (based on conversations with Examiner M. Brown) to be allowed (claims 27-39 and 42) and subject matter amended to place claim 8 in condition for allowance (claim 8 is amended to be in independent form and contain all of the features of claim 1).

With the present amendment, Claim 8 is amended and claims 1-7, 9-26, 40-41, and 43-44 are canceled. Claims 8, 27-39, and 42 remain for consideration and are understood to be allowed or allowable.

Reconsideration and allowance of the claims in light of the following remarks are respectfully requested.

1-7 (canceled).

_____The device of claim 1 wherein said finger cot is constructed of a second material which is more flexible than said flexible material.

9-26 (canceled).

placing the probe in said finger cot;

placing the probe, covered by said finger cot, in the patient's rectum; and
examining the patient's rectum with said probe.

28. (original) A method of examining the pelvic region of a patient comprising:
draping a sheet of material over said pelvic region of said patient;
inserting a probe into a vagina of said patient through an aperture in said sheet;
and
inserting said probe into a rectum of said patient through a second aperture in said
sheet; and,
providing a barrier between said probe and said rectum prior to inserting said
probe into said rectum.

29. (original) A method as set forth in claim 28, wherein said second aperture is a finger
cot.

30. (original) A method as set forth in claim 29, wherein said barrier is a membrane
which substantially forms said finger cot.

31. (original) A method as set forth in claim 28, wherein said probe is not cleansed
between the act of inserting in the vagina and the act of inserting in the rectum.

32. (original) A method as set forth in claim 28, further including collecting fluid from
said patient in said sheet of material.

33. (original) A method as set forth in claim 32, further including discerning a
volumetric quantity of fluid in said sheet of material from visual indicators on said sheet
of material.

34. (original) A method of examining the pelvic region of a patient comprising:
providing a layer of protection between said pelvic region of said patient and an
examining clinician;
examining a first body orifice in said pelvic region through said layer of
protection with a probe free from any barrier between said probe and said
first body orifice; and,
examining a second body orifice in said pelvic region with a probe having a
barrier between said probe and said second body orifice.
35. (original) A method as set forth in claim 34, wherein said barrier is disposed on said
layer of protection.
36. (original) A method as set forth in claim 34, wherein said first body orifice is a
patient's vagina.
37. (original) A method as set forth in claim 36, wherein said second body orifice is a
patient's rectum.
38. (original) A method as set forth in claim 37, wherein said barrier is a finger cot.
39. (original) A method as set forth in claim 34, wherein said probe is not cleansed
between said examination of said first body orifice and examination of said second body
orifice.
- 40-41 (canceled).

42. (previously presented) A medical device comprising:

a sheet of flexible material having an aperture of a predetermined size through which a body orifice may be accessed with a probe;

an adhesive backing operably disposed on said sheet, proximate said aperture; and,

a finger cot disposed on said sheet,

wherein said finger cot is sized to enable access to a second body orifice with the probe and,

wherein said finger cot provides a barrier between said probe and said second body orifice, and,

wherein said finger cot is constructed of a second material which is more flexible than said flexible material.

43-44 (canceled).

The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

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Dated: Dec. 14, 2005
DCS22479